

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

SAMUEL JOSEPH ORLANDO,

Plaintiff,

v.

No.: 5:22-cv-00062-MFU

DONALD SMITH, *et al.*

Defendants.

MOTION FOR LEAVE TO WITHDRAW

I, Amina Matheny-Willard, of Amina Matheny-Willard, PLLC, represent Plaintiff Samuel Orlando and request that this Court permit me to withdraw as counsel of record for good cause shown, and state the following in support thereof:

1. Pursuant to Rule 1.16(a)(1) of the Rules of Professional Conduct of the Virginia State Bar, undersigned counsel is unable to continue to represent the plaintiff in this matter.
2. I have a duty of competence pursuant to Rule 1.1 of the Rules of Professional Conduct which I could fulfill with the assistance of *pro hac vice* counsel. Without the assistance of counsel with case-specific expertise, I am not able to fulfill the ethical duties imposed on me by Rule 1.1.

1 3. I have learned of the termination of Zachary Lawrence, Esq., in this matter. My
2 representation was conditioned upon the presence of Mr. Lawrence to handle the
3 bulk of this litigation and to provide expertise in federal procedure and litigation.
4 Without his assistance, I am unable to continue the representation while fulfilling
5 my ethical duties.
6

7
8 4. I advised Plaintiff that I was aware of the termination of Attorney Lawrence and
9 that I would also be filing this Motion to Withdraw after Attorney Lawrence filed
10 his Motion to Withdraw.
11

12 5. I advised Plaintiff that if Attorney Lawrence is terminated, this Motion to Withdraw
13 would be filed shortly thereafter.
14

15 6. Additionally, as noted in paragraph 3, my representation was predicated upon
16 plaintiff maintaining Mr. Lawrence's representation and his continued participation
17 in this matter. Plaintiff has been unable to fulfill this obligation and has not been
18 able to secure adequate replacement counsel providing additional good cause for
19 my withdrawal under Rule 1.16(b)(4) and (6).
20
21

22 7. If the Court finds it necessary, I can prepare declaration to file under seal which to
23 supplement this motion.
24

25 **WHEREFORE**, Amina Matheny-Willard, counsel for Plaintiff, respectfully moves
26 this Court for entry of an Order permitting him to immediately withdraw as counsel of
27 record in this case.
28

1 DATED: **November 6, 2024**

2 **RESPECTFULLY REQUESTED,**

3
4 /s/ Amina Matheny-Willard

5 Amina Matheny-Willard, VSB#: 43566,

6 Attorney and Counselor at Law

7 Amina Matheny-Willard, PLLC

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CERTIFICATE OF SERVICE AND FILING

I hereby certify that on November 6, 2024, I electronically filed the foregoing document with the Clerk of the Court for the Western District of Virginia. I further certify that I have served, by “mailing” all of the foregoing to the following non-CM/ECF participants to their last know addresses in compliance with Rule 5(b)(2)(C):

Rebecca Neal
2105 Park Avenue
Lynchburg, VA 24501
PRO SE

Bristol Neal
2105 Park Avenue
Lynchburg, VA 24501
PRO SE

DATED: **November 6, 2024**

RESPECTFULLY REQUESTED,

/s/ Amina Matheny-Willard
Amina Matheny-Willard